



**PLANNING AND COMMUNITY
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May 16, 2008

Ms. Victoria Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

RE: R.J. Corman Railroad Co. Beech Creek Branch Line Reactivation Request

Ms Ruston,

The Centre County Planning and Community Development Office appreciates the opportunity to provide comments to the Surface Transportation Board (Board) regarding the requested R.J. Corman rail line reactivation from Wallaceton, Clearfield County to Gorton, Centre County. These comments include background information, potential resources/ environmental conditions, required permits, and outstanding reviews and approvals related to the proposal that have not been addressed by the end user of the requested rail line reactivation.

The requested rail line reactivation by R. J. Corman is intended to serve a proposed landfill in Rush Township, Centre County that is to be operated by Resource Recovery LLC (RR LLC) from Lancaster, PA. The parcel intended for this use is within Rush Township and Snow Shoe Township. Currently, this use and the other industrial uses mentioned in your correspondence dated April 14, 2008 have not been approved. A brief status of this proposal is as follows:

- Host agreement between RR LLC and Rush Township - 5/04
- Zoning amendment request in Snow Shoe Township denied 6/04
- Point of Access (POA) study for I-80 Interchange deemed inconsistent with local and County planning – 7/05
- Landfill permit submittal to PA Department of Environmental Protection (PA DEP) – 5/06

POA Study for I-80 Interchange deemed incomplete by the Federal Highway Administration (FHWA) until RR LLC compiles NEPA environmental study – 1/07

- PA DEP suspends landfill permit review until RR LLC completes NEPA environmental study as instructed by FHWA – 2/07
- RR LLC submits land development plan (landfill only) to Rush Township. Township Engineer and Centre County review plan based on Rush Township Ordinances and recommend that the plan be denied due to numerous plan deficiencies and waiver requests – 2/08

Although this brief status is not inclusive, it should provide the Board and their Section of Environmental Analysis (SEA) an indication of what is currently required of RR LLC prior to any approvals for their intended land use activity.

As part of the SEA's environmental document, the Planning Office recommends that the following items be evaluated and included in the environmental document:

Wetlands

The US Fish and Wildlife Service (USFWS) identified nearly 11 acres of wetlands on the property proposed for the landfill. The USFWS and other resource agencies such as the US Army Corps of Engineers and the PA DEP have stated that any aquatic resources be identified on the entire 5,762 acre parcel. Consistent with the FHWA requirements for the POA study, the SEA and their consultant should review the entire length of the proposed rail activation area and the property for potential impacts aquatic resources/ wetlands.

Special Protection Streams

The PA DEP identifies special protection streams in terms of their ability to support aquatic resources. These streams or cold water fisheries have various levels of importance and merit protection when they are potentially impacted by discharges and other activities. A segment of the rail line in Rush Township traverses Black Bear Run in the Moshannon State Forest. The PA DEP classifies Black Bear Run as an Exceptional Value Cold Water Fishery. This must be addressed as part of the environmental evaluation.

Centre County Natural Heritage Inventory

In 2002, the Western PA Conservancy completed a study and mapped Centre County's most significant natural places by identifying plant and animal species unique or uncommon. This study and Clearfield County's (if applicable) must be evaluated as part of the environmental evaluation.

Flood Hazard Areas

Recently, the Federal Emergency Management Agency (FEMA) revised the Flood Insurance Rate Maps (FIRMs) for Centre County. These maps were revised using aerial photography and are provided in digital format. Portions of the rail line in Rush Township are identified adjacent 100 year floodplain areas. These flood plain areas must be reviewed and included as part of the environmental evaluation.

Historic Resources

There are sections of the rail line that merit consideration and may be eligible for listing on the National Register of Historic Places. The Viaduct Bridge over the Moshannon Creek built in 1884 is 779 feet in length and 119 feet high. Constructed entirely of iron with the exception of the rail ties, this bridge known as the "Great Moshannon Viaduct" is an excellent example of advanced railroad structural engineering.

In addition to the bridge, the Peale Tunnel is another example of classic engineering constructed in 1884 from cut stone. This tunnel is 1,277 feet in length and constructed with the cut and fill technique. Consultation with Pennsylvania historic and Museum Commission regarding these unique structures is strongly recommended during the environmental evaluation.

Repaired in 2004 using over \$500,000 of federal Surface Transportation Program – Enhancement funding, there is a required repayment of the funds if the rail line is to be reactivated. Coordination with the Pennsylvania Department of Transportation (PennDOT) is required due to the specific agreements related to the recent tunnel repairs.

Recreational Facilities

The rail line impacts several recreational facilities within the County. A section of the rail line traverses the Moshannon State Forest. Consultation with the PA Department of Conservation and Natural Resources must be conducted to determine any potential impacts to this recreational area.

The other recreational resources that will receive the most impact is the Snow Shoe Rail Trail Association's (SSRTA) facility owned by the Headwaters Charitable Trust that utilizes a large portion of the identified rail line proposed for reactivation. This private association has members over 2,000 members that come from across the Commonwealth to use this facility. Economic development activity in the form of new businesses have been created due to the popularity of this trail system.

It is important to note that the SSRTA is working with the PA DCNR to secure grants to develop and extend this trail facility into Clearfield County. Consultation with the PA DCNR, SSRTA, and the Headwaters Charitable Trust must be completed as a part of this environmental evaluation.

Land Use/ Zoning

The map submitted as part of the request for comments indicates that the rail line reactivation extends into Snow Shoe Township near Gorton and its intersection with Gorton Road. As mentioned above, Snow Shoe Township denied a zoning amendment requested by RR LLC in 2004. The current zoning on the property is Forest – Open Space and does not permit industrial uses and their associated activities. Although there are no specific details, it appears as though the Gorton area may be proposed as the rail terminus point where the solid waste materials will be off loaded to trucks for transport to the landfill. This activity would be deemed an industrial use - rail/ truck terminal activity and is not permitted. Prior to any determination by the Board and their SEA, this issue must be clarified.

In addition the rail terminus point as shown in Gorton is directly adjacent to existing residences along Gorton Road. The impacts from the movement of solid waste via rail and truck in this area would be detrimental to the residences. This is similar to the concerns in Clearfield County where the rail line traverses numerous communities and residences and must be addressed

Independent Third Party Consultant

As stated in your correspondence, Skelly and Loy, Inc. was selected as the independent third party consultant that will assist the SEA in the preparation of the environmental document. Based on previous correspondence you have available for public review, it is indicated that RR LLC and R. J. Corman retained Skelly and Loy, Inc for environmental consulting services prior to being named as the SEA's third party consultant. Having read the Board's explanation of their selection process for third party consultants, it is anticipated that the development of the environmental document with complete direction and oversight by the SEA will be conducted in an un-biased manner.

The Planning Office again would like to thank the Board for requesting our comments on this proposal. Should you require additional information, please let me know.

Sincerely,



Robert B. Jacobs, AICP
Planning Director

pc: Centre County Board of Commissioners
Rush Township Supervisors
Snow Shoe Township Supervisors
Jodi Brennan, Clearfield County Planning Director